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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

BLENDTEC INC., a Utah corporation,

Plaintiff,

vs.

BLENDJET INC., a Delaware corporation,

Defendant.

**[PROPOSED] ORDER GRANTING
PLAINTIFF BLENDTEC INC.'S
MOTION RELATED TO SCOPE OF
EMAIL DISCOVERY**

Civil No. 2:21-cv-00668-TC-DBP

Judge Tena Campbell
Magistrate Judge Dustin B. Pead

This Court, having read and considered the briefing regarding Plaintiff Blendtec Inc.'s Motion Related to Scope of Email Discovery ("Email Motion"), and for good cause shown, hereby GRANTS the Email Motion.

It is hereby ORDERED that:

1. Blendjet's attempt to incorporate its "Responses" (defined as "all of Blendjet's responses and objections (both present and future) to any and all of Blendtec's outstanding requests for production that have been properly served on Blendjet in connection with this action, including,

but not limited to Blendjet's Responses and Objections to Blendtec's First Set of Discovery, dated July 29, 2022, as well as Blendjet's forthcoming responses and objections to Blendtec's Second Set of Discovery Requests to Blendjet") into its Responses and Objections to Blendtec's First Set of ESI Discovery Requests is overruled. All objections must be stated specifically.

2. Blendjet is ordered to produce emails responsive to Blendtec's search terms without regard to what Blendjet purports to have "agreed to produce in its Responses."

3. Blendjet has waived any objections to the scope or relevance of Blendtec's search terms pursuant to ¶38 of the ESI Protocol (ECF No. 33).

4. Blendjet shall produce emails responsive to Blendtec's search terms within 20 days of the date of this Order.

Dated this _____ day of January, 2023.

BY THE COURT:

Hon. Dustin B. Pead
U.S. DISTRICT COURT MAGISTRATE JUDGE